

24/04/2025

D/L 41
Ct. No.28
S.Kundu
Allowed

C.R.M.(A) 1307 of 2025

In Re:- An application for anticipatory bail under section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023/under Section 438 of the Code of Criminal Procedure. In connection with English Bazar police station case no. 942 of 2024 dated 14.7.2024 under Sections 406/420/506 of the IPC.

In the matter of: Aparupa Karmakar @ Apurupa Karmakar & Ors.

... Petitioners

Mr. Sourav Chatterjee
Mr. S. Nag
Mr. M. Majumdar

...for the petitioners.

Mr. A. Sinha
Mr. A. Islam

...for the State.

1. Learned senior counsel appearing on behalf of the petitioners submits as follows. The FIR was registered upon direction given by the Magistrate under Section 156 (3) of the Code. Although the alleged incident is of 2022, the FIR was registered in July, 2024. It is alleged that in November, 2022, an agreement for sale was entered into for sale of a particular property and sum of Rs.2,00,000/- was taken. However, in the FIR the sum changes and becomes Rs.5.25 Lakhs. The dispute, if at all, is purely civil in nature.
2. Learned counsel appearing on behalf of the State opposes the prayer and submits as follows. A *prima facie* case is made out against the petitioners. A third party interest

might have been created in the meantime. Investigation is going on.

3. In view of the nature of allegations, the materials contained in the case diary and the fact that the relevant documents in questions have already been seized, I do not find that custodial interrogation of the petitioners is required in this case.
4. In view of the same, the application for anticipatory bail is allowed.
5. In the event of arrest, the petitioners shall be released on bail upon furnishing a bond of Rs.10,000/- each with two sureties of like amount each, one of whom must be local, to the satisfaction of the Arresting Officer and also be subject to further conditions that the petitioners shall cooperate with the investigation, the petitioner no. 3 shall meet the I.O once a fortnight till submission of report in final form and the petitioners shall not threaten or intimidate witnesses.
6. Accordingly, the application for anticipatory bail is allowed.
7. Urgent Photostat certified copy of this order, if applied for, be given to the parties upon compliance with requisite formalities.

(Jay Sengupta, J.)